

D-2

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 22, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No:10MD-041

Maui

Amend Governor's Executive Order No. 4117 to the County of Maui Purpose From Social Service Programs to Social Services, Education, Agriculture and Related Support Purposes; Makawao, Maui, Tax Map Key: (2) 2-5-004:014.

BACKGROUND:

From July 13, 1938 to August 3, 1975 the Maui High School Lot was encumbered by Governor's Executive Order Nos. 811 and 1196 to the Department of Public Instructions (nka Department of Education). On August 4, 1975, Governor George Ariyoshi signed Executive Order No. 2781, to the County of Maui for youth related programs and for agriculturally related experiment and/or pilot programs. The County was in the process of developing a youth program aimed at coping with the problems of juvenile delinquency.

The Land Board at its April 1, 2005 meeting, under agenda item D-14, approved to recommend to the Governor the cancellation of Governor's Executive Order No. 2781 and a new executive order. The County of Maui wanted to use the property for social service programs. The property would house non-profit agencies that would provide substance abuse and mentally ill assistance to the community. On June 29, 2005, Governor Linda Lingle signed Executive Order No. 4117. Exhibit A.

By letter dated February 25, 2010, Mr. Jeffrey S. Hunt, County of Maui, Planning Director requested Governor's Executive Order No. 4117 purpose be amended from social service programs to social service, education and agriculture programs under the control and management of the County of Maui. Exhibit B.

REMARKS:

Mr. Hunt further cites in his letter that the County, with assistance from the Friends of Old Maui High School, wishes to pursue entitlements for the property to revitalize and reuse the Old Maui High School, incorporating the Patsy Takemoto Mink Center. A Master Plan for the property

proposes an education facility to service school children, residents, professionals, and visitors as a venue for specialized classes and programs in environmental sustainability, agriculture, good governance, leadership, and job and life skills.

Staff has broadened the purposes to: Social Services, Education, Agriculture and Related Support Purposes.

Staff did not solicit any agency or community comments. There are no pertinent issues or concerns relative to this change in use. The changing of the purpose of the executive order does not trigger Chapter 343, HRS.

RECOMMENDATION: That the Board:

1. Approve of and recommend to the Governor issuance of an executive order amending Governor's Executive Order No. 4117 purpose from Social Service Programs to Social Services, Education, Agriculture and Related Support Purposes and subject to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

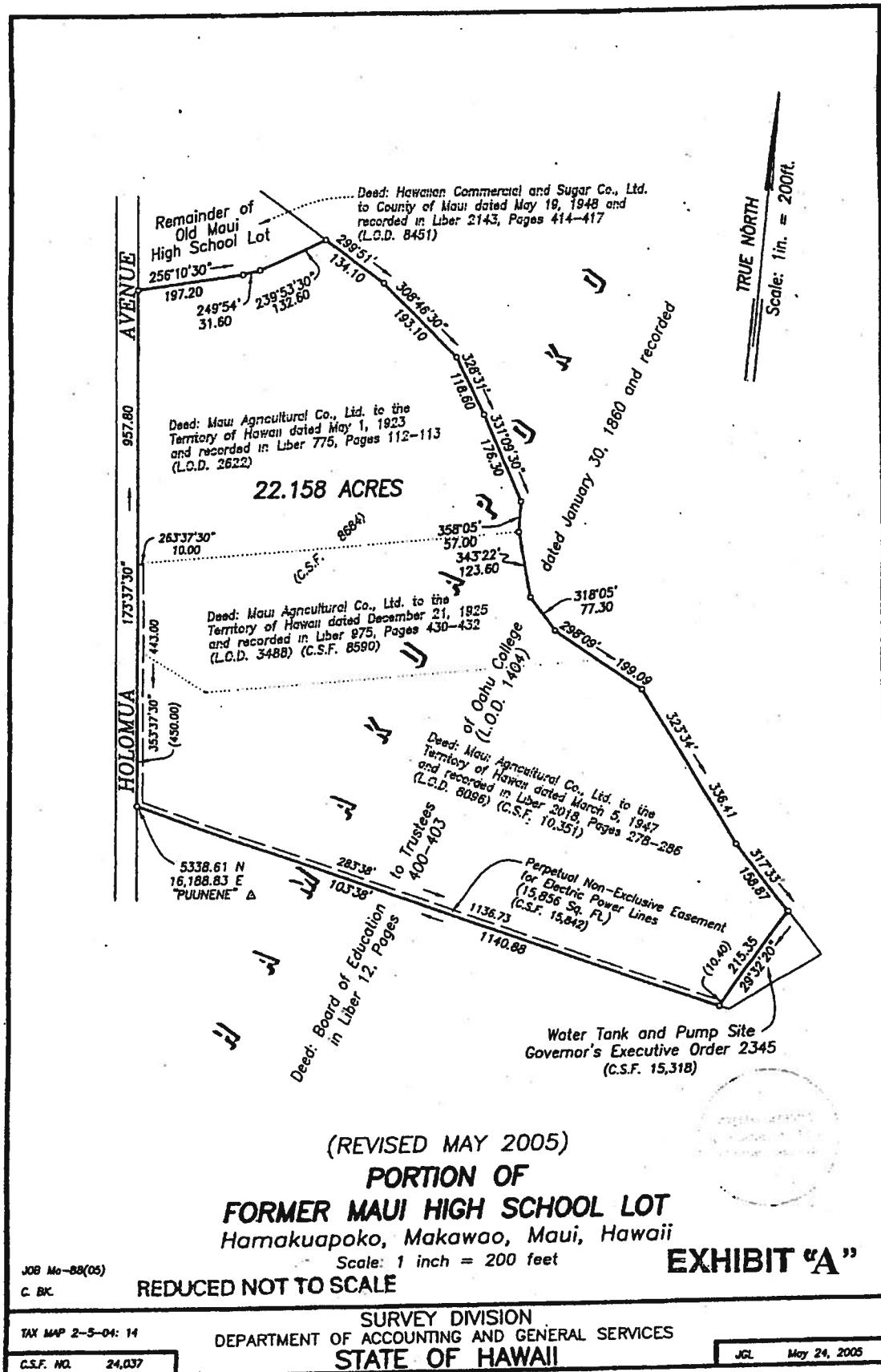
Respectfully Submitted,


Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



CHARMAINE TAVARES
Mayor

JEFFREY S. HUNT
Director

KATHLEEN ROSS AOKI
Deputy Director



RECEIVED
MAUI DISTRICT
LAND DIVISION

2010 MAR -1 PM 1:38

COUNTY OF MAUI
DEPARTMENT OF PLANNING

February 25, 2010

Mr. Daniel Ornellas
District Land Agent
Department of Land and Natural Resources
54 South High Street, Room 101
Wailuku, Hawaii 96793

Dear Mr. Ornellas:

**SUBJECT: AMENDMENT TO OLD MAUI HIGH SCHOOL EXECUTIVE ORDER
NO. 4117**

Executive Order No. 2781 from the State of Hawaii was executed on August 4, 1975, granting the County of Maui control and management of the lands of the Old Maui High School located in Hamakuapoko on Tax Map Key No. (2) 2-5-004:014. This order stipulated that the land be used for "youth related programs and for agriculturally related experiment and/or pilot programs." On February 4, 2005, the County of Maui requested an amendment to this executive order to include "social service programs" as a permitted use. At its meeting of April 1, 2005, the Board of Land and Natural Resources approved the cancellation of Governor's Executive Order No. 2781 and a reset aside for "social service program" purposes. Executive Order No. 4117 from the State of Hawaii was executed on June 29, 2005, setting aside land for "social service programs" purposes.

The County of Maui requests an amendment to Executive Order No. 4117 to include the addition of "education and agriculture programs" to the current set aside of "social service programs" so that the permitted use of the Old Maui High School property is "social service, education and agriculture programs" under the control and management of the County of Maui.

The County, with assistance from the Friends of Old Maui High School, wishes to pursue entitlements for the property to revitalize and reuse the Old Maui High School, incorporating the Patsy Takemoto Mink Center. A Master Plan for the property proposes an education facility to serve school children, residents, professionals, and visitors as a venue for specialized classes and programs in environmental sustainability, agriculture, good governance, leadership, and job and life skills.

EXHIBIT "B"

Mr. Daniel Ornellas
February 25, 2010
Page 2

Thank you for your assistance on this matter. If additional clarification is required, please contact Staff Planner Joseph Prutch at joseph.prutch@mauicounty.gov or at 270-7512.

Sincerely,



JEFFREY S. HUNT, AICP
Planning Director

xc: Clayton I. Yoshida, AICP, Planning Program Administrator
Michael Hopper, Corporation Counsel
JoAnne Ridao, Dept. of Housing and Human Concerns
Joseph M. Prutch, Staff Planner
Christopher L. Hart, ASLA, Chris Hart & Partners, Inc.
Barbara Long, Friends of Old Maui High School
Project File
General File

JSH:JMP:vb

K:\WP_DOCS\PLANNING\Cpa\2009\0004_OldMauiHighSchool\ExecOrderAmendLtr.doc